

RESOLUTION PB 17-

RESOLUTION APPROVING SITE PLAN APPLICATION AND ISSUING SITE PLAN APPROVAL FOR CONVERSION OF EXISTING BARN TO 1 ADDITIONAL DWELLING UNIT AT 24-30 EMMONS ROAD

WHEREAS, an application was made by Jennifer Miner for site plan review and approval for the proposed conversion of an existing barn into one additional residential single-family dwelling unit (an apartment unit), thereby creating a total of 4 dwelling units on the parcel (as it would add one unit to the existing single-family home and separate two-unit building), such barn being located upon the northeasterly portion of a 5.14± acre parcel of land on Emmons Road, Lansing, New York (TPN 16.-1-40.242), as located in the RA Rural Agriculture Zone; and

WHEREAS, based upon density requirement and the zoning rules in the RA District, it has been determined that this site plan review is for an allowed use, and the application included proposals to manage stormwater for site development impacts, being calculated as a minimal due to gravel being added to an existing driveway and the creation of a small parking area, and the apartment unit being built within an already existing structure, and due to the overall site disturbance not triggering a Full SWPP or any requirements for permanent practices, as determined and so declared by the Town's SMO; and

WHEREAS, this proposed action is an Unlisted Action for which the Town of Lansing Planning Board duly issued a Negative Declaration of environmental significance under SEQRA; and

WHEREAS, a General Municipal Law § 239 referral was delivered to, and a review dated April 25, 2017 was received from, the Tompkins County Planning Department, which determined that this project has no negative inter-community or county-wide impacts; and

WHEREAS, the Planning Board has again considered and carefully reviewed the requirements of the LUO relative to site plan review, the unique needs of the Town due to the topography, the soil types and distribution, and other natural and man-made features upon and surrounding the area of the proposed site plan, and the Planning Board has also considered the zoning in the area and the project in light of the Town's Comprehensive Plan and compliance therewith, and the Planning Board has again reviewed and considered the aforementioned amended site plan application and determined that no public hearing is required for this site plan due to: (i) its small size; (ii) the fact that no new permanent stormwater practices are triggered; (iii) the fact that no moderate or significant non-addressed SEQRA or 239 impacts were found; (iv) the fact that the use is permitted at such location within an RA Zone; and (v) the fact that the application relates to an already developed site and no additional significant infrastructure is proposed to be constructed; and

WHEREAS, on May 8, 2017 the Planning Board duly considered the proposed site plan in accordance with the provisions of LUO § 701.4 *et seq.*, including concerns addressing site drainage, lighting, nearby residences, landscaping, parking, buffering, screening, driveways, and any potential on and off site environmental impacts, and upon due consideration thereupon and deliberation by the Town of Lansing Planning Board, *now therefore be it*

RESOLVED, that the site plan application for the proposed conversion of the existing barn/garage into one (1) additional dwelling unit, together with site and area improvements as proposed, including as each such residential unit has sufficient access to Emmons Road, be and hereby is granted and approved, subject to the following conditions:

1. The parcel was previously subdivided into two separate parcels and later re-consolidated into one original parcel, and given this history and existing density and uses, this approval is therefore conditioned to allow or permit no future subdivision, to create any additional dwelling units or otherwise, without major subdivision review.
2. Site plan approval is and shall be limited to the plans as included in the application materials as prepared by Jennifer Miner, and this approval shall include only the proposed service and infrastructure improvements as set forth in such application, such as but not limited to connecting to an existing septic system, and adding only a minor additional water-permeable gravel driveway extension and small parking area. All future additions or improvements to the site are conditioned by requiring a review by the Town's Code Enforcement or Zoning Officer to determine if such further or other site additions or improvements require any site planning, stormwater, or other reviews or approvals.
3. Verification that any now or hereafter existing or required stormwater system and features are properly constructed and functioning prior to issuance of any CO or the close-out of any building permit.
4. Building Permits will be required to construct the approved building additions. Such plans must meet all code requirements, including the sealing of plans by a licensed engineer or architect, and such improvements must be constructed in compliance with all building and energy code requirements.
5. The open space to the west (currently under agricultural lease) shall be maintained as open space as a buffer, and this approval is conditioned upon the requirement that any proposed development, disturbance, construction, or plans pertaining to such open space and buffer shall be subject to review by site plan review, or any similarly equivalent review as may then be appropriate under the Town's local laws and codes.

Dated: May 8, 2017

VOTE AS FOLLOWS:

**Gerald Caward, Jr. -
Sandra Dennis Conlon -
Norman L. Davidson -
Al Fiorille -
Larry Sharpsteen -
Deborah Trumbull -
Thomas Ellis -**